

## COUNTY OF CALHOUN

PAMELA MARTIN HARTGROVE  
DISTRICT CLERK  
211 S. ANN ST. - COURTHOUSE  
PORT LAVACA, TX. 77979  
361-553-4630

## FAX

DATE: 6-9-2007NUMBER OF PAGES INCLUDING COVER SHEET: 6TO: Jennifer BloodworthPHONE: 512-936-7867FAX PHONE: 512-370-9707

## MEMO:

Debra Brisen  
2006-8-6465FROM: PAMELA MARTIN HARTGROVECALHOUN COUNTY DISTRICT CLERK211 S. ANN ST.-COURTHOUSEPORT LAVACA, TEXAS 77979PHONE: (361) 553-4630FAX PHONE: (361) 553-4637

## REMARKS:

☐ URGENT ☐ FOR YOUR REVIEW ☐ REPLY ASAP ☐ PLEASE COMMENT

EXHIBIT

DEF 02755

**Offense:** Illegal Voting

**Section:** 64.012, Texas Election Code

**Degree:** Third

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**IN THE NAME AND BY AUTHORITY  
OF THE STATE OF TEXAS:**


The Grand Jurors for the County of Calhoun, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the Spring-Summer Term, A.D. 2006, of the 24<sup>th</sup> Judicial District Court for said County, upon their oaths present in and to said Court, that **DEBRA BRISENO**, hereinafter referred to as Defendant, on or about **March 7, 2006**, and before the presentment of this indictment, in said County and State, did then and there unlawfully knowingly solicit, encourage, direct, or aid Antonio Suarez to vote or attempt to vote in the March 2006 Primary Election when the Defendant knew that Antonio Suarez was not an eligible voter;

**Count 2:** The Grand Jurors for the County of Calhoun, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the Spring-Summer Term, A.D. 2006, of the 24<sup>th</sup> Judicial District Court for said County, upon their oaths present in and to said Court, that **DEBRA BRISENO**, hereinafter referred to as Defendant, on or about **March 7, 2006**, and before the presentment of this indictment, in said County and State, did then and there unlawfully knowingly solicit, encourage, direct, or aid Jose Castillo to vote or attempt to vote in the March 2006 Primary Election when the Defendant knew that Jose Castillo was not an eligible voter;

**SCANNED**

**Count 3:** The Grand Jurors for the County of Calhoun, State of Texas, duly selected, impaneled, sworn, charged and organized as such at the Spring-Summer Term, A.D. 2006, of the 24<sup>th</sup> Judicial District Court for said County, upon their oaths present in and to said Court, that **DEBRA BRISENO**, hereinafter referred to as Defendant, on or about **March 7, 2006**, and before the presentment of this indictment, in said County and State, did then and there unlawfully knowingly solicit, encourage, direct, or aid Augustin Hernandez to vote or attempt to vote in the March 2006 Primary Election when the Defendant knew that Augustin Hernandez was not an eligible voter;

**AGAINST THE PEACE AND DIGNITY OF THE STATE.**

  
\_\_\_\_\_  
Foreman of the Grand Jury.

**SCANNED**

CAUSE NO. 2006-8-6465

THE STATE OF TEXAS

VS.

DEBRA BRISENO

## INDICTMENT

OFFENSE: Illegal Voting

Section 64.012, Texas Election Code

DAN W. HEARD, CRIMINAL DISTRICT ATTORNEY

Filed the 25<sup>th</sup> day of August, 2006, at 10:30 o'clock A.m.Pamela Martin Hartgrove  
PAMELA MARTIN HARTGROVE, District Clerk, Calhoun County, Texas

By: \_\_\_\_\_ Deputy

A TRUE BILL:

Cindy Partida  
FOREMAN OF THE GRAND JURY

WITNESSES FOR THE STATE:

Will Tatum

THE STATE OF TEXAS        }  
COUNTY OF CALHOUN        }

I, PAMELA MARTIN HARTGROVE, Clerk of the District Court within and for the County and State aforesaid, do hereby certify that the foregoing contains a true and correct copy of the Indictment in Cause No. \_\_\_\_\_, of the State of Texas vs. **DEBRA BRISENO** as now on file in this office.

IN TESTIMONY WHEREOF, I hereto set my hand and official seal, this 25<sup>th</sup> day of August, 2006.Pamela Martin Hartgrove  
PAMELA MARTIN HARTGROVE, District Clerk  
Calhoun County, TexasBy: \_\_\_\_\_  
Deputy



CASE NO. 2006-8-6465 COUNT THIRD DEGREE  
INCIDENT NO./TRN: 010 584 4470

THE STATE OF TEXAS

V.

DEBRA BRISENO

STATE ID NO.: TX 07769461

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§  
§  
§

IN THE 24TH DISTRICT

COURT

CALHOUN COUNTY, TEXAS

THIS CASE CONSOLIDATED WITH 2007-5-6575

## JUDGMENT OF CONVICTION BY JURY

Judge Presiding:	HON. JOSEPH PATRICK KELLY	Date Judgment Entered:	6/25/2007
Attorney for State:	WILLIAM TATUM	Attorney for Defendant:	FRUMENCIO REYES
Offense for which Defendant Convicted:			
COUNT 1. ILLEGAL VOTING		COUNT 2. ILLEGAL VOTING	
Charging Instrument:		Statute for Offense:	
INDICTMENT		64.012 Election Code	
Date of Offense:			
3/7/2007			
Degree of Offense:		Plea to Offense:	
3RD DEGREE FELONY		NOT GUILTY	
Verdict of Jury:		Findings on Deadly Weapon:	
GUILTY		N/A	
Plea to 1 <sup>st</sup> Enhancement Paragraph:	N/A	Plea to 2 <sup>nd</sup> Enhancement/Habitual Paragraph:	N/A
Findings on 1 <sup>st</sup> Enhancement Paragraph:	N/A	Findings on 2 <sup>nd</sup> Enhancement/Habitual Paragraph:	N/A
Punished Assessed by:	Date Sentence Imposed:	Date Sentence to Commence:	
COURT	6/25/2007	6/25/2007	
Punishment and Place of Confinement:			
FIVE (5) YEARS INSTITUTIONAL DIVISION, TDCJ			

THIS SENTENCE SHALL RUN CONCURRENTLY.

☐ SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .

Fine:	Court Costs:	Restitution:	Restitution Payable to:
\$ N/A	\$ 246.00	\$ N/A	<input type="checkbox"/> VICTIM (see below) <input type="checkbox"/> AGENCY/AGENT (see below)

Sex Offender Registration Requirements do not apply to the Defendant. TEX. CODE CRIM. PROC. chapter 62. 1:30.

The age of the victim at the time of the offense was N/A .

If Defendant is to serve sentence in TDCJ, enter incarceration periods in chronological order.

Time Credited:	From	to	From	to	From	to
	From	to	From	to	From	to

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

9 DAYS NOTES: N/A

All pertinent information, names and assessments indicated above are incorporated into the language of the judgment below by reference.

This cause was called for trial in Jackson County, Texas. The State appeared by her District Attorney.

Counsel / Waiver of Counsel (select one)

- ☒ Defendant appeared in person with Counsel.  
☐ Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.

It appeared to the Court that Defendant was mentally competent and had pleaded as shown above to the charging instrument. Both parties announced ready for trial. A jury was selected, impaneled, and sworn. The INDICTMENT was read to the jury, and Defendant entered a plea to the charged offense. The Court received the plea and entered it of record.



The jury heard the evidence submitted and argument of counsel. The Court charged the jury as to its duty to determine the guilt or innocence of Defendant, and the jury retired to consider the evidence. Upon returning to open court, the jury delivered its verdict in the presence of Defendant and defense counsel, if any.

The Court received the verdict and ORDERED it entered upon the minutes of the Court.

**Punishment Assessed by Jury / Court / No election (select one)**

☐ **Jury.** Defendant entered a plea and filed a written election to have the jury assess punishment. The jury heard evidence relative to the question of punishment. The Court charged the jury and it retired to consider the question of punishment. After due deliberation, the jury was brought into Court, and, in open court, it returned its verdict as indicated above.

☒ **Court.** Defendant elected to have the Court assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.

☐ **No Election.** Defendant did not file a written election as to whether the judge or jury should assess punishment. After hearing evidence relative to the question of punishment, the Court assessed Defendant's punishment as indicated above.

The Court FINDS Defendant committed the above offense and ORDERS, ADJUDGES AND DECREES that Defendant is GUILTY of the above offense. The Court FINDS the Presentence Investigation, if so ordered, was done according to the applicable provisions of TEX. CODE CRIM. PROC. art. 42.12 § 9.

The Court ORDERS Defendant punished as indicated above. The Court ORDERS Defendant to pay all fines, court costs, and restitution as indicated above.

**Punishment Options (select one)**

☒ **Confinement in State Jail or Institutional Division.** The Court ORDERS the authorized agent of the State of Texas or the Sheriff of this County to take, safely convey, and deliver Defendant to the Director, Institutional Division, TDCJ. The Court ORDERS Defendant to be confined for the period and in the manner indicated above. The Court ORDERS Defendant remanded to the custody of the Sheriff of this county until the Sheriff can obey the directions of this sentence. The Court ORDERS that upon release from confinement, Defendant proceed immediately to the CALHOUN COUNTY DISTRICT CLERK OFFICE. Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

☐ **County Jail—Confinement / Confinement in Lieu of Payment.** The Court ORDERS Defendant immediately committed to the custody of the Sheriff of County, Texas on the date the sentence is to commence. Defendant shall be confined in the County Jail for the period indicated above. The Court ORDERS that upon release from confinement, Defendant shall proceed immediately to the . Once there, the Court ORDERS Defendant to pay, or make arrangements to pay, any remaining unpaid fines, court costs, and restitution as ordered by the Court above.

☐ **Fine Only Payment.** The punishment assessed against Defendant is for a FINE ONLY. The Court ORDERS Defendant to proceed immediately to the Office of the County . Once there, the Court ORDERS Defendant to pay or make arrangements to pay all fines and court costs as ordered by the Court in this cause.

**Execution / Suspension of Sentence (select one)**

☒ The Court ORDERS Defendant's sentence EXECUTED.

☐ The Court ORDERS Defendant's sentence of confinement SUSPENDED. The Court ORDERS Defendant placed on community supervision for the adjudged period (above) so long as Defendant abides by and does not violate the terms and conditions of community supervision. The order setting forth the terms and conditions of community supervision is incorporated into this judgment by reference.

The Court ORDERS that Defendant is given credit noted above on this sentence for the time spent incarcerated.

**Furthermore, the following special findings or orders apply:**

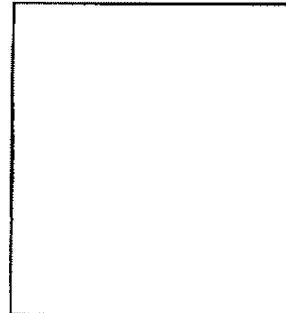
Sentence to the Institutional Division of the Texas Department of Criminal Justice for Five (5) years on each count to run concurrently. 12:45 Tamper with Government Record (Count 3) in the Cause No. 2006-8-6468. Dismiss all misdemeanors charges filed. District Attorney will not pursue prejury charges against defendant or her husband.

Signed and entered on June 28, 2007

*X Joseph P. Kelly*  
JOSEPH PATRICK KELLY  
JUDGE PRESIDING

cc: District Attorney - *William Tatum*  
Sheriff / Jail  
Probation  
Defendant  
*Francisco Reyes*

Clerk: PMH /TG



Right Thumbprint



COUNTY OF CALHOUN  
**SHERIFF B. B. BROWNING**

211 SOUTH ANN STREET  
PORT LAVACA, TEXAS 77979

*Committed to Community Needs*

CALHOUN COUNTY JAIL  
INMATE CREDIT TIME REPORT

*Rec'd  
6/27/07  
pm*

Date:

June 27, 2007

Inmate Name :

Debra Martinez Briseno (Martinez)

Offense:

Illegal Voting

Cause Number:

Current Time in Jail:

6/25 3

Days

Previous Time in Jail:

1

Days

Total Jail Time Served:

4

Days

total 9

*7/3/07 pm*

*8/31/06 thru 8/31/06 1  
9:30AM 11:20AM*

*Eddie Musgrave*  
Lt. Eddie Musgrave  
Jail Administrator  
361 553-4481

*6/25/07 thru current date 3*

Main Office (361) 553-4646  
Facsimile (361) 553-4668